



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/940,377
Applicant : BARDY, Gust H.
Filed : August 27, 2001
TC/A.U. : 3762
Examiner : DROESCH, Kristen L.

Confirmation No. 5562

8/A
B. Webb
11/10/03

Docket No. : 4441-0006
Customer No. : 22440

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class mail service in a post-paid envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 30, 2003.

Gisele Richardson
Gisele Richardson

RESPONSE TO RESTRICTION REQUIREMENT PURSUANT TO 35 USC §121

S I R :

In response to the Office Action dated September 30, 2003, Applicants hereby elect the subspecies VII for a method of implanting an ICD in accordance with Figs. 24A-24C, without traverse. The following claims pertain to this invention: 1-95. As the Examiner indicated, the following independent claims are generic 1, 32 and 63.

Kindly insert the following new claims:

RECEIVED
NOV 06 2003
TECHNOLOGY CENTER R2700